Licence - 11566

Licence Details			
Number: 11566			
Anniversary Date:	25-January		
<u>Licensee</u>			
BORG MANUFACTURING PTY LIMITED			
2 WELLA WAY			
SOMERSBY NSW 2250			
Premises			
STRUCTAELOR	STRUCTAFLOR		

LOWES MOUNT ROAD

**OBERON NSW 2787** 

#### **Scheduled Activity**

Wood or timber milling or processing

#### Fee Based Activity

Wood or timber milling or processing

#### **Region**

Central West L102, 346 PANORAMA AVENUE BATHURST NSW 2795 Phone: (02) 6333 3800 Fax: (02) 6333 3809

PO Box 1388

**BATHURST NSW 2795** 

Scale

capacity

0-50000 m3 annual processing



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### Information about this licence

#### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

#### **Responsibilities of licensee**

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

#### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

#### **Duration of licence**

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

#### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

#### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).





The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

#### Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

#### Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

#### This licence is issued to:

BORG MANUFACTURING PTY LIMITED

2 WELLA WAY

SOMERSBY NSW 2250

subject to the conditions which follow.

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### **1** Administrative Conditions

#### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Wood or timber milling or processing	Wood or timber milling or processing	0 - 50000 m3 annual processing capacity

#### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details	
STRUCTAFLOR	
LOWES MOUNT ROAD	
OBERON	
NSW 2787	
LOT 11 DP 1017456	

#### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and

b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

### 2 Discharges to Air and Water and Applications to Land

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#### P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

		Air	
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Air discharge point	Air discharge point	Roof vent of press with fan as nominated as point 1 in Plan Showing Air Emission Points dated 21/6/00 submitted to the EPA in Application for licence.
2	Air discharge point	Air discharge point	Roof vent of press with fan as nominated as point 2 in Plan Showing Air Emission Points dated 21/6/00 submitted to the EPA in Application for licence.
3	Air discharge point	Air discharge point	Roof vent of press with fan as nominated as point 3 in Plan Showing Air Emission Points dated 21/6/00 submitted to the EPA in Application for licence.
5	Air discharge point	Air discharge point	Flake Dryer stack as nominated as point 58 in Plan Showing Air Emission Points dated 21/6/00 submitted to the EPA in Application for licence.
6	Air discharge point	Air discharge point	Flake Dryer stack as nominated as point 59 in Plan Showing Air Emission Points dated 21/6/00 submitted to the EPA in Application for licence.
8	Air discharge point	Air discharge point	Combined Flake Dryer discharge point exiting the Wet Electrostatic Precipitator (WESP)

- P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.
- P1.3 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

		Water and land	
EPA Identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
7	Water monitoring point		Discharge from gross pollutant trap 3 (GPT 3).

### 3 Limit Conditions

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#### L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

#### L2 Waste

L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery order and exemption under the Protection of the Environment Operations (Waste) Regulation 2014	As specified in each particular resource recovery exemption	NA
NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA

#### L3 Noise limits

- L3.1 Noise from the premises must not exceed:
  - a) 55 dB(A) LAeq(15 minute) during the day (7am to 6pm); and
  - b) 50 dB(A) LAeq(15 minute) during the evening (6pm to 10pm); and
  - c) at all other times 45 dB(A) LAeq (15 minute), except as expressly provided by this licence.

Where LAeq means the equivalent continuous noise level - the level of noise equivalent to the energy-average of noise levels occurring over a measurement period.

L3.2 To determine compliance with condition L3.1, noise must be measured at or computed for "Oorong" or any other noise sensitive location (such as a residence/school) along Herbourne or West Cunynghame Street, Oberon. A modifying factor correction must be applied for tonal, impulsive or intermittent noise in accordance with the "Environmental Noise Management - NSW Industrial Noise Policy" (January 2000).

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L3.3 The noise emission limits identified in this licence apply under all meteorological conditions except:

a) during rain and wind speeds (at 10m height) greater than 3m/s; and b) under "non-significant weather conditions".

Note: Field meteorological indicators for non-significant weather conditions are described in the NSW Industrial Noise Policy, Chapter 5 and Appendix E in relation to wind and temperature inversions.

### 4 **Operating Conditions**

#### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and

b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

#### O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and
  - b) must be operated in a proper and efficient manner.

#### O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 All operations and activities occurring at the premises must be carried out in a manner that will minimise dust at the boundary of the premises.

#### O4 Processes and management

- O4.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.
- O4.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

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### 5 Monitoring and Recording Conditions

#### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
  - a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
  - a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and
  - d) the name of the person who collected the sample.

#### M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
  - a) the date and time of the complaint;
    - b) the method by which the complaint was made;

c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;

d) the nature of the complaint;

e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and

f) if no action was taken by the licensee, the reasons why no action was taken.

- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

#### M3 Telephone complaints line

- M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

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M3.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

### 6 Reporting Conditions

#### **R1** Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- 1. a Statement of Compliance,
- 2. a Monitoring and Complaints Summary,
- 3. a Statement of Compliance Licence Conditions,
- 4. a Statement of Compliance Load based Fee,
- 5. a Statement of Compliance Requirement to Prepare Pollution Incident Response Management Plan,
- 6. a Statement of Compliance Requirement to Publish Pollution Monitoring Data; and
- 7. a Statement of Compliance Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.
- R1.3 Where this licence is transferred from the licensee to a new licensee:

a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and

b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

- Note: An application to transfer a licence must be made in the approved form for this purpose.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or

b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years

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after the Annual Return was due to be supplied to the EPA.

- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:a) the licence holder; or
  - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

#### R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

#### R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

a) where this licence applies to premises, an event has occurred at the premises; or
b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
  - a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;

c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;

d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;

e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and

g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the

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EPA within the time specified in the request.

### 7 General Conditions

#### G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

#### G2 Contact number for incidents and responsible employees

- G2.1 The licensee must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can:
  - a) respond at all times to incidents relating to the premises; and
  - b) contact the licensee's senior employees or agents authorised at all times to:
  - i) speak on behalf of the licensee; and
  - ii) provide any information or document required under this licence.
- G2.2 The licensee is to inform the EPA of the representative or representatives and their telephone number within 3 months of the date of the issue of this licence. The EPA must be notified of the telephone number on commencement of its operation.
- G2.3 The licensee is to inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change.

### 8 Special Conditions

#### E1 Recommencement of activities

- E1.1 The licensee must notify the EPA of its intention to recommence production at the premises no later than seven (7) days prior to the proposed recommencement date.
- Note: Following the receipt of the licensee's intention to recommence scheduled activities at the premises, the EPA will vary the licence such that it reflects the licence conditions that existed prior to the care and maintenance period (prior to May 2019).

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### Dictionary

#### General Dictionary 3DGM [in relation Means the three day geometric mean, which is calculated by multiplying the results of the analysis of to a concentration three samples collected on consecutive days and then taking the cubed root of that amount. Where one limit1 or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples Act Means the Protection of the Environment Operations Act 1997 activity Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment **Operations Act 1997** actual load Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009 AM Together with a number, means an ambient air monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales. AMG Australian Map Grid anniversary date The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act. Is defined in R1.1 annual return Approved Methods Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009 Publication assessable Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009 pollutants BOD Means biochemical oxygen demand CEM Together with a number means a continuous emission monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales. COD Means chemical oxygen demand composite sample Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume. cond. Means conductivity environment Has the same meaning as in the Protection of the Environment Operations Act 1997 environment Has the same meaning as in the Protection of the Environment Administration Act 1991 protection legislation EPA Means Environment Protection Authority of New South Wales. fee-based activity Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations classification (General) Regulation 2009. Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act general solid waste (non-putrescible) 1997



flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environmen t Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
тм	Together with a number, means a test method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.

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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Darryl Clift

**Environment Protection Authority** 

(By Delegation)

Date of this edition: 25-January-2002



- 1 Licence varied by notice 1026433, issued on 29-May-2003, which came into effect on 23-Jun-2003.
- 2 Licence varied by notice 1031594, issued on 28-Oct-2003, which came into effect on 28-Oct-2003.
- 3 Licence varied by notice 1043655, issued on 26-Apr-2005, which came into effect on 21-May-2005.
- 4 Licence varied by notice 1048160, issued on 26-May-2005, which came into effect on 20-Jun-2005.
- 5 Licence varied by notice 1050869, issued on 08-Sep-2005, which came into effect on 03-Oct-2005.
- 6 Licence varied by notice 1063917, issued on 31-Aug-2006, which came into effect on 31-Aug-2006.
- 7 Licence varied by notice 1068744, issued on 15-Jan-2007, which came into effect on 15-Jan-2007.
- 8 Licence varied by notice 1069806, issued on 14-Mar-2007, which came into effect on 14-Mar-2007.
- 9 Licence varied by notice 1076911, issued on 22-Aug-2007, which came into effect on 22-Aug-2007.
- 10 Licence varied by notice 1079484, issued on 29-Apr-2008, which came into effect on 29-Apr-2008.
- 11 Licence varied by notice 1090352, issued on 18-Aug-2008, which came into effect on 18-Aug-2008.
- 12 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 13 Licence varied by notice 1104487, issued on 17-Aug-2009, which came into effect on 17-Aug-2009.
- 14 Licence varied by notice 1110611, issued on 05-Oct-2010, which came into effect on 05-Oct-2010.
- 15 Licence varied by notice 1502826 issued on 15-Dec-2011
- 16 Licence varied by notice 1504752 issued on 20-Mar-2012
- 17 Licence transferred through application 1512866 approved on 10-Apr-2013, which came into effect on 26-Jan-2013
- 18 Licence varied by notice 1513386 issued on 15-May-2013
- 19 Licence varied by notice 1530378 issued on 16-Nov-2015

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21 Licence varied by notice 1552664 issued on 11-Jul-2017

22 Licence transferred through application 1559961 approved on 24-Jan-2018, which came into effect on 26-Jan-2018

23 Licence varied by notice 1578315 issued on 21-May-2019